

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-030812-001 SE

07/27/2011

JUDGE PRO TEM JERRY BERNSTEIN

CLERK OF THE COURT

A. Pagel-Spaulling

Deputy

STATE OF ARIZONA

SHERRY KAY LECKRONE

v.

RICHARD ANTHONY LOPEZ (001)

DOB: 9/15/1989

BRENDA L DABDOUB-CABALLERO

APO-SENTENCINGS-SE

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

VICTIM SERVICES DIV-CA-SE

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:53 a.m.

Courtroom SEF 202

State's Attorney: Adam Roberts

Defendant's Attorney: Brenda L. Dabdoub-Caballero

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1 and 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 AS AMENDED: ENDANGERMENT

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Class 6 DESIGNATED FELONY

A.R.S. §28-3304, 3305, 3306, 3315, 13-1201, 610, 701, 702, 702.01, 801, 12-114.01

Date of Offense: 7/4/2010

Non Dangerous - Non Repetitive

OFFENSE: Count 2 AS AMENDED: DRIVING OR ACTUAL PHYSICAL CONTROL WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS, OR TOXIC VAPOR

Class 1 MISDEMEANOR

A.R.S. § 28-1381(A)(1), 1381(J), 1444, 3304, 3305, 3306, 3315, 12-114.01, 13-604, 707, 802

Date of Offense: 7/4/2010

Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Counts 1 and 2 Probation Term: 3 YEARS

To begin 7/27/2011.

Count 1 to run concurrent with Count 2.

Conditions of probation include the following:

Condition 1 – Maintain a crime-free lifestyle, obey all laws, and not engage or participate in any criminal activity.

Condition 2 – Not possess or control any stun guns, tasers, firearms, ammunition, deadly or prohibited weapons as defined in A.R.S. §13-603(K).

Condition 6 – I will report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. I will also keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. I will provide sample for DNA testing if required by law.

Condition 8 – I will request and obtain written permission of the APD prior to leaving the state.

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Condition 15 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning 11/1/2011.

FINE: Count 2 - Total amount of \$460.00, which includes surcharges of 84%, payable \$25.00 per month beginning 11/1/2011.

ASSESSMENTS:

Count 2: \$300.00 to the DUI Incarceration costs, payable \$50.00 in full on 11/1/2011.

Count 2: \$500.00 to the Prison Construction and Operations Fund, payable \$25.00 per month, beginning 11/1/2011.

Count 2: \$500.00 to the State General Fund pursuant to A.R.S. § 28-1383, payable \$25.00 per month, beginning 11/1/2011

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

Count 2: Probation Surcharge pursuant to A.R.S. § 12-114.01 in the amount of \$20.00.

Count 2: Inter-county Transfer Fee: \$150.00, payable \$25.00 per month, beginning 11/1/2011.

All amounts payable through the Clerk of the Superior Court.

Condition 16- Not consume or drink any substance containing alcohol.

Condition 18 - Count 2: Be incarcerated in the county jail for 4 month(s), beginning 7/27/2011 with credit for 0 day(s) served.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Condition 22: Count 1: Shall attend the MADD Impact Panel or any equivalent program in Pima County.

Count(s) 2: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff and authorizing the Sheriff to carry out the term of incarceration.

Count 1: IT IS ORDERED that Defendant be released from custody for this count only.

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The Defendant has been advised pursuant to ARS 13-805 that failure to maintain contact with the probation department will result in the issuance of:

1) A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2) A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution order.

IT IS FURTHER ORDERED that Defendant must submit to Deoxyribonucleic Acid (DNA) testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 31-281.

10:12 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM JERRY BERNSTEIN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)